

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDON LEE ROMERO,

Defendant.

CR-15-19-GF-BMM-JTJ

ORDER

United States Magistrate Judge John Johnston conducted a revocation hearing in this matter on August 15, 2019. (Doc. 106.) The United States accused Brandon Lee Romero of violating his conditions of supervised release by 1) consuming alcohol; 2) possessing controlled substances; and 3) failing to report to his probation officer as directed. (Docs. 103 at 1-3 & 110 at 2.)

Judge Johnston entered Findings and Recommendations in this matter on August 19, 2019. (Doc. 110.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error.

McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981).

The admitted violations prove serious and warrant revocation of Romero's supervised release. Judge Johnston has recommended that the Court revoke Romero's supervised release and commit Romero to the custody of the Bureau of Prisons for 4 months, with 20 months of supervised release to follow. (Doc. 110 at 3.) Judge Johnston further recommended that Romero should serve the first 60 days of supervised release at Connections Corrections in Butte, Montana. *Id.*

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Romero's violations of his conditions represent a serious breach of the Court's trust. A sentence of 4 months custody, followed by 20 months supervised release, represents a sufficient, but not greater than necessary sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 110) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Romero be sentenced to custody for 4 months, followed by 20 months of supervised release. It is further ordered that Romero spend the first 60 days of supervised release at Connections Corrections in Butte, Montana.

DATED this 20th day of August, 2019.

A handwritten signature in blue ink that reads "Brian Morris". The signature is written in a cursive style with a large initial "B" and a long horizontal stroke at the end.

Brian Morris
United States District Court Judge

